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REVENUE DIVISION  
JUNE 9, 1913.

## MISSOURI MULE USED AS LEVER TO INFLUENCE LAWMAKERS

Dealers in Useful Animal Wire  
Representatives to Vote  
Against Free Sugar and  
Thus Preserve Industry.

### PLANTERS BEHIND MOVE SENATOR REED BELIEVES

Second Week of Lobby Hunt  
Opens With Nothing Tangible  
to Show Existence of  
Insidious and Dangerous In-  
fluence.

Washington, D. C., June 9.—  
When the last senator had testi-  
fied today before the committee  
on the tariff bill, it was  
predicted at the capital that the  
report would substantially up-  
hold President Wilson's declara-  
tion that private influences have  
been at work in Washington at-  
tempting to affect congress on  
the tariff bill.  
Whether it will be shown that  
"insidious" methods have been  
used, or that improper influ-  
ences have been exerted upon  
senators will depend on the evi-  
dence of the next few days when  
the committee examines a score  
or more of men who have called  
on senators or directed pub-  
licity campaigns. The committee  
will attempt to draw a clear dis-  
tinction between an organized  
campaign to change public opin-  
ion or influence senators against  
their judgment and the legiti-  
mate presentation of arguments  
and facts by representatives of  
industrial concerns affected by  
legislation.

[By Leased Wire to Evening Herald.]  
Washington, June 9.—The senate's  
lobby hunt plunged into its second  
week today. Less than a dozen sen-  
ators remained to be examined before  
the committee took up another trail  
and again calling a core of more  
men mentioned in the testimony of  
senators as being one side or the other  
of the free sugar fight, or of being at-  
torneys or special representatives in  
Washington.

Senator Sutherland, the first wit-  
ness today told the committee he  
owned 286 shares of the Utah-Idaho  
sugar company worth \$7.25 a share  
and fifty shares in the Amalgamated  
Sugar company worth \$100 a share.  
He had no interest in wool but de-  
clared he had voted and would vote  
for a reasonable duty on sugar and  
wool. Any other course on his part,  
he said would be nothing more than  
"hypocritical affectation."

Senator Reed said he had no per-  
sonal connections affected by the tar-  
iff. He did not know any lobbyist;  
had not been subject to any attempts  
at influence and knew nothing of im-  
proper use of money, but was certain  
that a new system of attempting to  
influence legislation had risen in this  
country. He told the committee about  
telegrams from horse and mule deal-  
ers in St. Louis, Mo., saying:

"Please vote for a duty on sugar.  
It is very necessary to preserve the  
mule industry of Missouri."  
"It is plain to me that sugar plant-  
ers were seeking to influence the men  
from whom they bought mules," said  
he. "Judging from these circum-  
stances and others I believe there is  
a system growing up by which at-  
tempts are made to reach senators  
and representatives by indirect meth-  
ods."

"How many senators of the seventy  
you have heard testify here do you  
think have been improperly influ-  
enced?" asked Senator Nelson.  
"None," replied Senator Reed.

"You think senators have so far  
been immune from the serious in-  
fection of lobby?"  
"I think that for many years the  
majority in congress may have been  
influenced by argument but not by  
selfish interests and that many sen-  
ators have been influenced by them.  
That was when the lobby flourished  
in Washington like a 'green bay tree.'"

"The country doesn't need any pro-  
fessional lobbyists," he said.  
"I do believe in free speech; I be-  
lieve in the right of a litigant in court  
to come himself or send his attorney  
and make his showing and then go  
home and not stay and try to get  
private conferences with members of  
the court. It is a very unpleasant thing  
when congress is in session that in-  
terests send representatives to the  
capital, open headquarters, employ  
clerks and fasten themselves here like  
barnacles. Lobbying is the business  
of changing votes. The men who  
come here all want to get something  
by virtue of law or maintain an ad-  
vantage they have got."

Senator Bankhead said he had  
served twenty-six years in congress;  
had heard of lobbies, but never saw  
one. He did not agree that running  
headquarters here to influence legis-  
lation was to be condemned.

Senator Walsh said he had small  
interests in coal, copper and zinc  
mines, cattle farms and citrus fruit

## DIVIDED DECISION IN MINNESOTA SUGAR RATE LITIGATION

United States Supreme Court  
Holds Unconstitutional Regu-  
lation of One Road; Vali-  
dates That of Other Two.

### HILL LINES ARE CHIEF SUFFERERS FROM RULING

[By Leased Wire to Evening Herald.]  
Washington, June 9.—The state of  
Minnesota won a substantial victory  
in the supreme court today when in  
the Minnesota rate case Justice  
Hughes, for the court, held that the  
rates of the Minneapolis & St. Louis  
railroad were confiscatory and uncon-  
stitutional, but that the rates of the  
Northern Pacific and Great Northern  
were valid.

The decision was a victory for the  
state on the interstate commerce  
phase of the controversy and upon  
the confiscatory features with the ex-  
ception of the portion affecting the  
Minneapolis & St. Louis railroad.  
Justice Hughes said:  
"1. The constitution gives con-  
gress an authority at all times ade-  
quate to secure the freedom of inter-  
state commercial intercourse from  
state control and to provide effective  
regulation for that intercourse as the  
national interest may demand."  
"2. The commerce that is confined  
within one state and does not affect  
other states is reserved to the state.  
This reservation is only of that power  
which is consistent with the grant to  
congress. The authority of congress  
extends to every part of interstate  
commerce and to every instrumentality  
of agency by which it is carried  
on, and the full control by congress  
over the subjects committed to its  
regulation is not to be denied or  
thwarted by the co-mingling of inter-  
state and intrastate operation."

"3. Even without action by con-  
gress the commerce clause of the  
constitution excludes the states from  
direct control of subjects embraced  
within the clauses which are of such  
nature that their regulation should be  
prescribed by a single authority.  
There is thus secured the essential  
immunity of interstate intercourse  
from the imposition by the state of  
direct burdens and restraints."

"4. But there remains to the states  
the exercise of the power appropriate  
to their territorial jurisdiction in  
making suitable provision for local  
needs. The state may provide local  
improvements, create and regulate  
local facilities and adopt protective  
measures of a reasonable character  
in the interest of health, safety, mor-  
als and welfare of its people, al-  
though interstate commerce may inci-  
dentally or indirectly be involved.  
Where matters falling within state  
power are by reason of their relation  
to interstate commerce within the  
reach of federal power, congress must  
be the judge of necessity of federal  
action, and until congress acts the  
states may act."

The so-called "state rate" cases  
have presented to the supreme court  
one of the momentous problems of  
the decade.

In general terms the group of  
cases came out of the court to decide  
two questions. One was whether the  
states in passing maximum freight  
and two-cent passenger laws had un-  
lawfully interfered with interstate com-  
merce. The other was whether those  
laws confiscated the property of the  
railroads by requiring them to trans-  
act business at a loss.

The group consisted of forty-five  
cases. All arose out of legislation  
enacted by state legislatures about  
1907, or just after the federal govern-  
ment had passed the Hepburn rate  
law. The forty-five cases con-  
cerned directly the laws in six states,  
Missouri, Minnesota, Kentucky, Ore-  
gon, Arkansas and West Virginia.  
Similar litigation arose in Alabama,  
Iowa, Kansas, Nebraska, Oklahoma  
and South Dakota. In all it was said  
that seventy-six suits in federal  
courts depended upon the decision in  
the forty-five cases before the su-  
preme court.

The first of the forty-five cases to  
reach the supreme court were the  
Missouri rate cases. In Missouri the  
eighteen railroads crossing the state  
attacked, in separate suits, the valid-  
ity of state laws fixing the maximum  
rate on freight and limiting passen-  
ger fares to two cents a mile. Judge  
McPherson, of the United States cir-  
cuit court for western Missouri, held  
that the rates were confiscatory of  
the railroads' property and therefore  
unconstitutional, but he declined to  
hold that they interfered with inter-  
state commerce. Both the railroads  
and the state appealed to the su-  
preme court, bringing in all thirty-six  
Missouri cases.

Bichloride of Mercury Again.  
Fort Collins, Colo., June 9.—Mrs.  
Sidney Tallman, who has been living  
with her husband in a tent at reservoir  
No. 19, ten miles from this town, to-  
day fifteen grains of bichloride of mer-  
cury by mistake for headache tablets  
last night. She was hurriedly brought  
here and is expected to recover.

lands in Florida. Montana, he said,  
was vitally interested in the tariff on  
sugar and wool.  
"We expected a great reduction,"  
he said, "a very substantial one on  
wool and sugar but we did confidently  
expect them to carry a revenue duty."

## SINEWS OF WAR IN HANDS OF NEW DENVER CITY GOVERNMENT

Retiring Treasurer Turns Over  
Twenty-One Millions in Se-  
curities to Commissioner of  
Finance.

### SUPREME COURT RULING SETBACK FOR OLD REGIME

[By Leased Wire to Evening Herald.]  
Denver, June 9.—The action of for-  
mer City Treasurer Allison Stocker  
today who turned over \$21,500,000  
city securities to Commissioner of  
Finance Clair J. Pitcher, is regarded  
by the new city officials as a victory  
for commission government. This ac-  
tion was almost coincident with the  
decision of the state supreme court  
sustaining commission form of gov-  
ernment in the Pueblo case. The  
court decision is regarded as having  
an important bearing on the validity  
of the election in Denver February 4,  
at which a commission charter was  
adopted and the election May 20 at  
which commissioners were chosen.

The new commissioners met today and  
adopted a resolution vacating all city  
positions except fire and police depart-  
ments which are under civil service.  
Temporary appointments were made  
in all city offices until such time as  
the civil service commissioner can  
hold examinations and certify lists of  
candidates for various city positions.

### COMMISSION GOVERNMENT SUSTAINED BY SUPREME COURT

Denver, June 9.—Commission gov-  
ernment in Pueblo was sustained by  
the Colorado supreme court in an  
opinion handed down today by Chief  
Justice Musser and concurred in by  
all members of the court except Jus-  
tice White, who dissented and Justice  
Hill, who is absent from the state. The  
court sustained the findings of the  
lower court. The case involved the  
validity of commission government in  
Pueblo and other Colorado cities that  
have it.

The majority opinion, written by  
Chief Justice Musser, sustains the  
Pueblo charter in every particular.  
The immediate point at issue was  
whether more than six amendments  
could be voted on at one election. The  
court held that under the initiative  
and referendum there is no limit to  
the number of amendments that can  
be submitted.

Justice White, who dissented, had  
not prepared his opinion, but an-  
nounced that he will submit it either  
on or before the next opinion day.

## THREE GOVERNMENT YACHTS TO MEET BRAZIL ENVOY

Dr. Miller Coming from South-  
ern Republic on Battleship  
to Return Visit of Former  
Secretary Root.

[By Leased Wire to Evening Herald.]  
Washington, June 9.—Senator  
Root, Major General Wood, chief of  
staff of the army; Dudley Field Ma-  
lone, assistant secretary of state, and  
a distinguished party of officials left  
here today on the government yacht  
Mayflower, Sylph and Dolphin, for  
Hampson Roads to greet Dr. Lauro  
Miller, Brazilian minister of foreign  
affairs, who lands there tomorrow.  
The Brazilian minister comes to re-  
pay the visit of Mr. Root to South  
America when he was secretary of  
state. An elaborate program of of-  
ficial functions has been arranged for  
the distinguished guest while he is in  
the country.

## HALF MILLION LOSS BY FIRE

Flames Break Out in Depart-  
ment Store Basement and  
Fifteen Buildings Are Des-  
troyed at Springfield, Mo.

[By Leased Wire to Evening Herald.]  
Springfield, Mo., June 9.—Fire was  
started in the basement of a depart-  
ment store early this morning that  
got beyond control of the firemen be-  
cause of low water pressure. Fifteen  
buildings soon were destroyed with  
all their contents. Before noon the  
fire was extinguished and the loss was  
estimated at \$500,000.

Pope Receives Ohio Bishop.  
Rome, June 9.—Pope Pius received  
Sunday in private audience, the Right  
Reverend Joseph Scherms, bishop of  
Toledo, O., and entertained him at  
length in cordial conversation.

## ASQUITH CABINET SMARCHED BY WIRELESS SCANDAL

Radicals Far from Satisfied by  
Conviction for Libel of One  
of Men Who Exposed Irregu-  
larities.

### PREMIER FEARS DEFEAT ON SNAP DIVISION

[By Leased Wire to Evening Herald.]  
London, June 9.—When Premier  
Asquith rose in the house of commons  
this afternoon to move the second  
reading of the home rule for Ireland  
bill, the house presented an animated  
and crowded appearance greatly in  
contrast with the lethargic condition  
which had characterized its recent  
sittings. The scandals in connection  
with the government's wireless con-  
tracts and the ill success of Liberal  
candidates at the bye-elections had  
created an unsatisfactory feeling that  
things were going badly for the gov-  
ernment and strong "calls" had been  
issued by the parties in order to se-  
cure the unremitting attendance of  
members so as to insure the govern-  
ment against possibility of defeat by a  
"snap" division.

The conviction of Cecil Chesterton  
Saturday on a charge of criminal libel  
in connection with the Marconi  
"deal" to some extent rehabilitated  
the cabinet ministers in the eyes of  
their followers and silenced the at-  
tacks of opposition newspapers, but a  
large section of the radical party is  
extremely dissatisfied with the lack  
of frankness on the part of cabinet  
ministers in regard to the Marconi  
affair, while some of them consider  
Premier Asquith too lax in his attend-  
ance in parliament.

A division on the home rule bill is  
expected to be taken tomorrow.

## INVADES PLEASURE PALACE WITH DESTITUTE

Warm Hearted Frenchman  
Takes Novel Means of Call-  
ing Attention to Sufferings  
of Evicted Families in Paris.

[By Leased Wire to Evening Herald.]  
Paris, June 9.—Georges Cochon,  
secretary of the Tenant's league has  
again drawn attention to the misfor-  
tunes of evicted tenants in a novel  
manner. With a family of four peo-  
ple, who had been turned out of their  
home, taking their belongings piled  
on a barrow, he went to the Moulin  
Rouge when the ball was at its height  
and endeavored to install them in the  
ball. He was accompanied by some  
musicians whose purpose was to make  
discord and noise outside the resi-  
dences of landlords who had behaved  
harshly to their poor tenants. The  
dance orchestra was silenced by his  
own, which then stopped playing while  
Cochon made a speech announcing  
that he would take up a collection for  
his proteges. Moved by pity and  
much amusement at the method  
adopted, the spectators gladly con-  
tributed, both English and American  
tourists giving money to enable the  
evicted family to find shelter and start  
life again.

## WOLGAST PUT OUT OF GAME FOR SIX MONTHS

Former Lightweight Champ-  
ion Planning Long Vacation  
in Hawaii; May Never En-  
ter Ring Again.

[By Leased Wire to Evening Herald.]  
Los Angeles, Cal., June 9.—Con-  
fronted with six months of idleness  
to allow his injured thumb to heal,  
Ad Wolgast, former light champion,  
is planning a three month's visit to  
the Hawaiian Islands. It is possible he  
never will be able to fight again,  
though his physician is hopeful Wol-  
gast sustained the injury during his  
training for a fight with Johnny Dun-  
dee which was to have taken place  
here tomorrow night.

Veteran Journalist Dies.  
Chicago, June 9.—Charles M. Faye,  
for fifteen years managing editor of  
the Chicago Daily News, died today at  
his home in Aurora, Ill. Mr. Faye has  
been connected with the Daily News  
for thirty-one years.

## COLDEST WEATHER EVER RECORDED IN JUNE; EAST SHIVERS

Frost Predicted in Ohio Val-  
ley, Great Lake Regions and  
North and Middle Atlantic  
States.

### GULF COAST ALONE ESCAPES CHILL WAVE

[By Leased Wire to Evening Herald.]  
Washington, June 9.—The coldest  
weather ever recorded during June  
in the middle Atlantic and New Eng-  
land states, the Ohio valley and the  
Great Lakes region was reported to-  
day to the weather bureau. The gulf  
states are the only territory east of  
the Rockies to escape an unseason-  
able drop.

Frosts are predicted for the night  
in the Great Lakes region, the upper  
Ohio valley, the north Atlantic states  
and the mountain districts of the  
middle Atlantic states.

Many places in Pennsylvania had  
frost this morning.  
The minimum temperature in Phila-  
delphia was 47, within one degree of  
the lowest ever recorded in June by  
the weather bureau. Forty degrees  
was registered in some parts of the  
interior of the state.

### WEATHER BUREAU MEN TURNED OUT IN COLD

Washington, June 9.—The official  
men, turned out in the weather bureau  
today for the third time since Willis  
L. Moore himself was recently de-  
posed as chief because of his activity  
in trying to become secretary of agri-  
culture.

Secretary Houston today suspend-  
ed, pending further investigation, J.  
Warren Smith, professor of meteorol-  
ogy, Columbus, O.; Henry B. Her-  
sey, general inspector, Milwaukee;  
Roswell Pollock, section director,  
Trenton, N. J., and Norman P. Con-  
ger, general inspector, Detroit, Mich.

Henry B. Hersey, who is among  
the suspended officials, was formerly  
section director for the New Mexico  
district with headquarters in Santa  
Fe. When Governor Otero took office  
in 1907 Mr. Hersey was appointed  
adjutant general of the then terri-  
tory and when the Spanish-American  
war broke out in the following year  
he was commissioned by Governor  
Otero as a major in the Roosevelt  
rough rider regiment. Since leaving  
New Mexico Major Hersey has ac-  
quired some fame as an aeronaut  
having participated in several inter-  
national balloon races.

## MANIAC SLAYS TWO CHILDREN; TURNS GUN ON SELF

No Known Motive for Double  
Murder and Suicide Which  
Almost Wipes Out Family  
Near Marshalltown.

[By Leased Wire to Evening Herald.]  
Marshalltown, Ia., June 9.—Ben-  
jamin Knisely, aged 46, a farmer liv-  
ing near Beaman, in Grundy county,  
last night shot and instantly killed  
two of his children, attempted to kill  
a third, and then committed suicide  
by blowing off the top of his own  
head. News of the tragedy reached  
here today.

According to statements at the  
sheriff's office, Knisely first killed his  
4-year-old son with a shotgun. Then  
he turned the gun on his 14-year-old  
daughter, tearing off her arm as she  
ran into the house. A shot through  
her back killed her instantly. The  
man next fired on his 10-year-old  
daughter and, missing her, turned  
the gun on himself. His first shot  
through his breast failed to kill and  
Knisely deliberately blew the top of  
his head off.

Mrs. Knisely was at home, but his  
husband made no attempt on her life.  
He is supposed to have been insane.

### GUAYMAS GARRISON ASSUMES OFFENSIVE

[By Leased Wire to Evening Herald.]  
San Diego, Cal., June 9.—Offensive  
operations against the constitutional-  
ists about Guaymas, Mexico have  
been ordered by General Pedro Ojeda,  
commanding the federal garrison, ac-  
cording to refugees arriving here last  
night by steamer. Ojeda is said to  
have 500 men and several batteries  
of artillery while reports reaching  
Guaymas placed the constitutionalist  
force entrenched at Hermosillo at  
3,000.

Call for Bank Statement.  
Washington, D. C., June 9.—The  
comptroller of currency today issued  
a call for a statement of the condition  
of all national banks of the United  
States at the close of business on  
Wednesday, June 5.

## FRANTIC APPEAL TO ENGLAND'S KING FROM FIGHTING SUFFRAGETTES

Sovereign's Attention Called  
to Shocking Death of Miss  
Davison Who Threw Her-  
self Under Derby Contender.

### CLAIM CONSTITUTIONAL METHODS HAVE FAILED

[By Leased Wire to Evening Herald.]  
London, June 9.—Miss Emily Wild-  
ing Davison, the militant suffragette  
who died from injuries sustained while  
interfering with the running of the  
Derby, will be buried at her home,  
Long Horley, Northumberland, to-  
day. The body has been wrapped in  
a suffragist banner and a suffra-  
gist badge has been placed in the  
coffin.

At a meeting of suffragettes today  
a telegram was read which had been  
dispatched to King George. It said:  
"Constitutional methods of ap-  
proaching our king having failed and  
Miss Emily Wilding Davison having  
given her life to call attention to the  
women's passionate demands for the  
franchise, we ask the king to give  
serious attention to this appeal of wo-  
manhood."

### ALISON SQUADS RESUME CAMPAIGN OF TERROR

London, June 9.—The arson squad  
of the militant suffragettes have once  
more become very active. Besides the  
£70,000 fire at the Hurler park race  
course last night, they destroyed this  
morning a boat house on the River Lea  
and also the grandstand at the North  
Middlesex cricket grounds.  
The fire at Hurler park was started  
in the royal box, the furniture of  
which had been saturated with oil.  
The flames were not extinguished un-  
til 8 o'clock this morning.

### LITTLE PUBLIC INTEREST IN CONSPIRACY TRIALS

London, June 9.—The trial of  
suffragette leaders charged with con-  
spiracy under the malicious damage  
to property act began today at the  
Central criminal court, Old Bailey.  
The accused include Miss Harriet  
Kerr, Miss Agnes Lake, Miss Isobel  
Barrett, Mrs. Beatrice Saunders, Miss  
Anne Kennedy, Miss Laura Lennox  
and Edwin Clayton, the chemist al-  
leged to have acted as adviser to the  
suffragettes in their campaigns.  
"General" Mrs. Flora Drummond,  
who was originally charged with  
other prisoners did not appear, her  
case having been postponed owing to  
her illness.

Little interest was shown by the  
general public in the trial.

## BATTLEFIELD MAP PREPARED FOR PUBLIC

Work Published by United  
States Geological Survey  
Shows Ground Where Leg-  
ions of Blue and Gray  
Struggled.

[By Leased Wire to Evening Herald.]  
Washington, June 9.—In recogni-  
tion of the coming great celebration  
on the battlefield of Gettysburg the  
United States geological survey an-  
nounced today that it had purchased  
a map of the southern battlefields  
which it was prepared to sell to the  
public at half price. The concession  
was made by special authority granted  
by Secretary Lane of the interior de-  
partment. The map shows the terri-  
tory about 325 square miles over  
which the federal and confederate  
legions fought. It is based on the  
scale of one mile to the inch and the  
routes taken by the generals Lee,  
Hooker, Meade, Pickett and other  
leaders are plainly shown.

### NEGRO CAVALRYMAN MURDERS COMRADE

[By Leased Wire to Evening Herald.]  
Douglas, Ariz., June 9.—George Nel-  
son, a trooper of the Ninth cavalry  
(colored) ran amuck last night with  
an army rifle and fired five shots at  
Albert Jones, a comrade. Jones was  
instantly killed and Tom Evans, an-  
other trooper, who stood beside him,  
was fatally wounded by missiles which  
had passed through Jones' body.

### Denver Country Club Seized.

Denver, June 9.—Fire which started  
early this morning destroyed the club  
house and its contents of the Lake-  
wood country club, damaging the  
property to the approximate amount  
of \$25,000.

Trust Conviction Set Aside.  
Washington, June 9.—Conviction of  
officials of the American Naval Stores  
company, the "Tarpanette Trust," for  
alleged violation of the Sherman an-  
ti-trust law was today set aside by  
the supreme court.

## AMERICAN TENNIS TOO FAST FOR AUSTRALIAN EXPERTS

United States Wins Right to  
Play Germany in Second  
Round of Davis Cup Tourna-  
ment at New York.

### M'LAUGHLIN'S DEFEAT OF DOUST CINCHEES VICTORY

[By Leased Wire to Evening Herald.]  
West Side Tennis Club, June 8.—  
The United States Tennis club won  
its right to play Germany in the sec-  
ond round of the Davis cup tourna-  
ment by defeating the Australian  
combination here this afternoon. In  
the fourth match of the series, Man-  
fred M'Laughlin, by beating Stan-  
ley K. Doust in the third of the five  
game matches in three straight sets,  
clinched the victory started on Fri-  
day. The scores by which M'Laughlin  
defeated the Australian team captain  
were 6-4, 6-4, 6-3. This  
game America three out of four game  
matches and Australian lost one  
game match. American won the  
one double match. Afternoon the  
match between Williams and Brierly  
showed M'Laughlin's victory. It was  
nothing more than an exhibition  
game, since even if Brierly had won  
the score would still stand three  
matches to two in favor of the United  
States.

The severity of M'Laughlin's serv-  
ice and return caused the downfall  
of Doust. The victor was unable to  
handle the ball propelled with swift  
terrible speed in such a manner suit-  
able for consistent play. The best  
asset was a slow ball which rarely  
rose six inches above the top of the  
net. This made it difficult for  
M'Laughlin to use his overhead  
smash to the best advantage but by  
playing hard at every available ball  
he clinched the match that was need-  
ed to give his team victory. The Aus-  
tralians took their defeat in sports-  
manlike fashion. Doust shook his  
head gravely as the last of M'Laughlin's  
shots crossed the net and he was the  
first to rush over to be the first  
to congratulate his opponent's  
conqueror. The handshaking over,  
Doust took the microphone from the  
microphone stand and asked the stand-  
ard question in "three cheers for the  
American team." The cheers were  
given with vigor and found echo on  
the coast and in a slacker cheer for  
the Australians.

M'Laughlin won the third set, six  
games to two, thus winning the  
match three sets to nothing. This  
gives the series to America. With  
the score of matches two to one in  
favor of America, the United States  
and Australian tennis teams re-  
sumed their Davis cup preliminary  
play here this afternoon. Two sin-  
gle matches were programmed. Man-  
fred R. M'Laughlin (U. S.) meet-  
ing R. N. Doust in the first, and R.  
Morris Williams second (U. S.) facing  
H. M. Rice (Australian) in the second.

To win their way into the second  
round of the cup preliminary—the  
American players required but one  
of today's two matches, while the  
Australians needed both in order to  
win the privilege of facing Germany  
in England next month.

The playing turf was both dry and  
fast and the sun shone strong from  
a cloud-flecked sky. A stiff wind  
blew down the tournament course  
from the north.

Doust won the opening game 4 to 2  
on one net and out by his op-  
ponent. Doust could do little with  
M'Laughlin's service and the Ameri-  
can won the second game 4 to 1.

M'Laughlin put on speed and  
breaking through Doust's service, won  
the third game 4 to 1.

Failure to handle M'Laughlin's serv-  
ice and return cost Doust the fourth  
game 4 to 1.

Doust forced his opponent out of  
position repeatedly in the fifth game,  
and between the netting and trying  
out of court M'Laughlin lost the  
game 3 to 2. The American cham-  
pion cut loose with a sweeping serv-  
ice in the sixth game which placed  
and threw Doust out of position until  
he was helpless, losing 1 to 4.

Doust won the seventh game 4 to 2.  
With the wind at his back the Ger-  
man easily scored a love game in  
the eighth, the point score being 4  
to 6.

The ninth game went to Doust by  
a score of 4 to 2. M'Laughlin finding  
it difficult to return Doust's low pas-  
sing service and out.

M'Laughlin took the tenth game  
4-1 and the first set 4 games 3 to  
4 by forcing Doust to call for a let  
as his court by his vicious smash.  
The score first:  
M'Laughlin, 244, 424, 342, 4-23  
points, 6 games;  
Doust, 411, 111, 404, 1-21 points,  
4 games.  
Doust worked up close to the net  
in the first game of the second set  
and by clever cross-buzzing of M'Laughlin's return won at 4 to 1. The  
American adopted the same tactics  
in the second game and won 4 to 1.  
The play was fast and hard in the  
third game, which was won by Doust  
4 to 6. Both players fought hard  
for the place at the net and in man-  
ner.

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